

EXHIBIT A

#1

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

BRISTOL SUPERIOR COURT

CIVIL ACTION NO. 2273CV00638 B

GLEN BEBERNESS,
Plaintiff

BRISTOL, SS SUPERIOR COURT
FILED

vs.

SEP 21 2022

CROWN EQUIPMENT CORPORATION,
a/k/a CROWN LIFT TRUCKS -
SOUTHERN NEW ENGLAND
Defendant

JENNIFER A. SULLIVAN, ESQ.
CLERK / MAGISTRATE

COMPLAINT AND DEMAND FOR JURY TRIAL

1. The plaintiff Glenn Beberness ("Beberness") is an individual residing in the City of New Bedford, Bristol County, Massachusetts.
2. The defendant Crown Equipment Corporation ("Crown Equipment") a/k/a Crown Lift Trucks - Southern New England is a foreign corporation with a place of business in the Town of Franklin, Massachusetts.
3. On October 1, 2019, the plaintiff Beberness was in the course of his employment with BJ's Wholesale Club, Inc. located in Dartmouth, Massachusetts.
4. On or about October 1, 2019, while lawfully on the premises of BJ's Wholesale Club the plaintiff Beberness was operating a forklift truck which was owned and/or maintained by the defendant Crown.
5. On or about October 1, 2019, the plaintiff Beberness was caused to sustain serious and permanent physical injury when he was injured due to the malfunctioning of the forklift owned, operated, maintained, and/or controlled by the defendant Crown Equipment.
6. The damages and injuries sustained by the plaintiff Beberness were the direct and proximate result of the carelessness and negligence of the defendant Crown Equipment as follows:
 - a. it negligently failed to maintain the subject forklift in a safe condition;
 - b. it negligently created or allowed to exist an unreasonably dangerous and/or hazardous condition involving the forklift;
 - c. it negligently failed to warn and/or adequately warn the plaintiff concerning the dangerous and/or defective condition which existed involving the forklift;

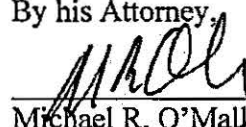
- d. it negligently managed, controlled, supervised and/or directed maintenance work of its agents, servants and/or employees so as to create and/or allow to exist an unreasonably dangerous and/or hazardous condition involving the forklift.
7. As a direct and proximate result of the negligence of the defendant Crown Equipment, all as hereinabove set forth, the plaintiff Beberness was caused to sustain serious and physical and emotional injuries and by reason of said injuries, plaintiff has been caused to suffer loss of function and mobility; she has been caused to incur expense for hospital, medical and physical therapy treatment; her daily activities have been restricted and her ability to lead a normal life has been adversely affected.

WHEREFORE, the plaintiff Glen Beberness demands judgment against defendant Crown Equipment Corporation in such amounts as this Court deems just and fair together with interest and costs of this action.

THE PLAINTIFF DEMANDS A TRIAL BY JURY AS TO ALL ISSUES OF FACT.

GLEN BEBERNESS

By his Attorney,



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